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MAR 22 2005

## FACSIMILE TRANSMISSION

Total # of Pages 14 (including this page)

TO:	PHONE #:	FAX #:
Mail Stop: Amendment USPTO Examiner Ostrup, C. Art Unit 1614		703 872-9306

From : Richard J. Warburg, Attorney for Applicant

Date : March 22, 2005

Client/Matter No : 072827-1905

User ID No : 1559

## MESSAGE:

RE: United States Patent Application No. 09/990,405

Attached are the following:

- Amendment Transmittal (3 pages) (in duplicate)
- Amendment and Reply Under 36 CFR 1.111 (7 pages)
- Request for three month extension of time
- Authorization to charge deposit account No. 50-0872 the amount of \$510.00

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Operator:	Time Sent:	Return Original To: Diane S. Garcia
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MAR 22 2005

Atty. Dkt. No. 072827-1905

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan Mueller, et al.

Title: METHODS AND COMPOUNDS  
FOR TREATING DEPRESSION  
AND OTHER DISORDERS

Appl. No.: 09/990,405

Filing Date: 11/21/2001

Examiner: Ostrup, C.

Art Unit: 1614

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>DIANE GARCIA</u>	
(Printed Name)	
<u>Diane Garcia</u>	
(Signature)	
<u>March 22, 2005</u>	
(Date of Deposit)	

**AMENDMENT TRANSMITTAL**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	9	-	24	=	0	x	\$50.00	=	\$0.00
Independent Claims:	1	-	8	=	0	x	\$200.00	=	\$0.00

Atty. Dkt. No. 072827-1905

First presentation of any Multiple Dependent Claims:	+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL				= \$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$1,020.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$1,020.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1,020.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$510.00
TOTAL FEE:		\$510.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$510.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$510.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

Atty. Dkt. No. 072827-1905

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address  
indicated below.

Respectfully submitted,

Date March 22, 2005  
FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6700  
Facsimile: (858) 792-6773

By Steven C. Koerber  
Steven C. Koerber  
Patent Agent  
Registration No. 54,233  
for  
Richard J. Warburg  
Attorney for Applicant  
Registration No. 32,327

Atty. Dkt. No. 072827-1905

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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- ☐ Assertion of Small Entity status is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	9	-	24	=	0	x	\$50.00	=	\$0.00
Independent Claims:	1	-	8	=	0	x	\$200.00	=	\$0.00

Atty. Dkt. No. 072827-1905

First presentation of any Multiple Dependent Claims:	+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL				= \$0.00

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CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1,020.00
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Atty. Dkt. No. 072827-1905

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
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Respectfully submitted,

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Steven C. Koerber  
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MAR 22 2005

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<u>Diane Garcia</u> (Signature)
<u>March 22, 2005</u> (Date of Deposit)

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action mailed September 22, 2004, concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make this response timely.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 4 of this document.